

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application and for the indicated allowability of claim 20. The application has been carefully reviewed in light of the Office Action.

Applicants thank the Examiner for granting a telephone interview to applicants' attorney. The participants in the February 18, 2010 interview were Examiner Geoffrey Evans and attorney Brad Spencer. Claim 13 was discussed during the interview, along with the Bull and Brewster references. Applicants' attorney presented the arguments below. The Examiner indicated during the interview that the arguments would overcome the rejection.

As discussed during the interview, the Examiner is respectfully requested to acknowledge applicants' priority in the next communication.

The Examiner objected to the abstract of the disclosure. A new abstract is provided in the AMENDMENTS TO THE SPECIFICATION section above.

Claims 13, 17 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bull in view of Brewster. Claim 1 recites, "a sealed chamber, designed to be under a vacuum...the curvature of the anode making it capable of resisting a pressure difference between the inside and the outside of the chamber and the curvature of the anode being designed to cooperate with the curvature of the emitting face to focus the electron beam outside the chamber." As discussed during the interview, Bull's electron beam welding occurs in a vacuum. See page 102, paragraph 3 and page 103, paragraph 2. Therefore, Bull's anode does not focus an electron beam outside of a chamber. Further, Bulls's anode A has an aperture, as shown in FIG. 1 and FIG. 3. Therefore, Bull's anode is not capable of resisting a pressure difference between the inside and the outside of a chamber.

Brewster discloses a radiation tube 10 having a transparent anode window 16 through which an electron beam is transmitted. However, Brewster's anode 16 does not focus the electron beam.

The hypothetical replacement of Brewster's anode window with Bull's anode having an aperture would not provide an anode capable of resisting a pressure difference between the inside and the outside of the chamber. Further, the hypothetical modification of Bull to use Brewster's anode would still result in the electron beam being focused in the vacuum (e.g., within the tube) as taught by Bull, and not "outside the chamber" as required by claim 13. Nothing in either reference teaches that the focus point F of an electron be located outside of a vacuum. In view of the differences between the cited references and claim 13, applicants respectfully submit that claim 13 is allowable over said references. Claims 17 and 19 depend from claim 13.

Claim 15 was rejected based on the combination of Bull, Brewster and An. Claim 14 was rejected based on the combination of Bull, Brewster and Katsap. Claim 16 was rejected based on the combination of Bull, Brewster, An and Sommeria. Claim 18 was rejected based on the combination of Bull, Brewster, and Kiga. Claims 21 and 22 were rejected based on the combination of Bull, Brewster, and Swanson. Claims 23 and 24 were rejected based on the combination of Bull, Brewster, and Robinson. Claim 25 was rejected based on the combination of Bull, Brewster, and Schianchi. Claims 14-16, 18 and 21-25 depend from claim 13, which is discussed above. Applicants submit that claims 14-16, 18 and 21-25 are allowable for at least the reasons discussed above with respect to claim 13.

Claim 20 was objected to as being dependent upon a rejected base claim. Claim 20 depends from claim 13, which is discussed above.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. BRV-40065.

Respectfully submitted,
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